

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK*Gruber*

USDC SDNY
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DATE FILED: <u>10/3/07</u>
07 Civ. 3450 (LAP)

Plaintiff(s),

-against-

UBS

Defendant(s).

INITIAL CASE MANAGEMENT
PLAN AND SCHEDULING ORDER

On October 3, 2007, upon notice, an Initial Case Management Conference was held before the undersigned.

The following Case Management Plan and Scheduling Order was adopted by the Court:

1. All amendments to the pleadings shall be filed by December 31, 2007;

2. All discovery is to be completed no later than June 30, 2008; fact discovery is to be completed by April 30, 2008.

3. The Parties are reminded that a pre-motion conference is required under the Court's Individual Rules and Practices. A party proposing a motion shall, at the earliest opportunity but in any event no later than April 30, 2008, write to the Court summarizing the motion proposed and the basis therefor and, in the case of a summary judgment motion, ~~enclose a statement pursuant to Local Rule 56.1~~. A copy of the letter should be served on all parties. Any party opposing the motion shall, within one week of the letter proposing the motion, write to the Court summarizing the basis for the opposition and, in the case of a summary judgment motion, enclose a response to the 56.1 statement.

4. A proposed joint consolidated pretrial order is to be filed by July 31, 2008. No extensions of this date will be granted. At the same time, the parties shall also send to chambers a courtesy copy of the joint pretrial order, together with one copy of all proposed exhibits, a memorandum of law (if a bench trial), and proposed voir dire questions and requests to charge (if a jury trial). Each charge shall specify the authority for the proposed charge. The parties each shall submit a 3.5" floppy disk containing the requests to charge and voir dire questions in a Wordperfect 8.0 format.

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5. The next/final pre-trial conference is scheduled for _____ at _____.

6. The parties are instructed, pursuant to Fed. R. Civ. P. 16, to meet and pursue settlement discussions. Plaintiff's counsel is directed to advise Chambers by letter or in person of the status of those discussions by January 31, 2008.

7. Trial is to commence on _____ at _____ in Courtroom 12A.

Counsel for all parties shall confer to make a good faith effort to resolve all discovery disputes before requesting a pre-motion conference.

Pro se parties are directed to consult with the Pro Se Office in Room 230 or at (212) 805-0175 with respect to procedural matters.

The aforesaid schedule is final and binding upon the parties.

SO ORDERED:

Dated: New York, New York
October 3, 2007

Loretta A Preska
LORETTA A. PRESKA, U.S.D.J.